TEXAS TRANSPORTATION COMMISSION

PALO PINTO County MINUTE ORDER Page 1 of 2

FORT WORTH District

Near Possum Kingdom Lake, Palo Pinto County, on PR 36, the State of Texas acquired an easement interest in certain land (existing right of way) by an instrument recorded in Document Number 2021-00006282 of the Official Public Records of Palo Pinto County, Texas, a copy of which is attached hereto as Exhibit A.

PK Lakeview Point, LLC, a Texas limited liability company, (donor) has agreed to donate sufficient funding, property, and services to provide for land acquisition and exchange of right of way, utility relocation, environmental assessments, schematics, plans, specifications, and estimates, and construction and construction engineering necessary to construct a new segment of replacement highway somewhat parallel to PR 36 in Palo Pinto County, more particularly described in Exhibit B (new highway alignment). The estimated donation is approximately \$620,000.00. The donor and the state have entered into an Agreement to Accept Donation for Construction and Exchange of Right of Way whereby the donor has agreed that, upon completion of the realignment and construction of the new replacement highway facility for a portion of PR 36, it will convey to the state a highway easement for the new right of way. Upon acceptance of the new right of way, the Texas Department of Transportation (department) will release its easement granting a right to use the highway currently designated as PR 36 situated on the existing right of way. In essence, this series of transactions will provide for the construction of a new segment of highway on property owned by donor and the ultimate exchange of that segment for a somewhat parallel segment of highway currently used by the department. As a result, the department will receive a new highway segment meeting all current specifications, and the donor will be able to pursue development of the property encumbered by the existing highway segment.

In accordance with Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the exchange of a surplus interest in real property as whole or partial consideration for another interest in real property needed by the state for highway purposes.

Transportation Code, § 201.206 authorizes the department to accept a donation in any form, including realty, personalty, money, materials, or services, for the purpose of carrying out its functions and duties.

This donation has been examined by department personnel, and the commission adopted Minute Order Number 116108 on September 30, 2021 acknowledging the acceptance of the donation. The department recommends issuance of this minute order to effect the purpose of the donation and to accomplish the exchange of the existing right of way for the new highway facility situated on the new highway alignment upon donor's completion and department's acceptance of the new highway facility.

The commission finds, that upon completion and acceptance of the new highway facility, the existing easement encumbering the existing right of way will no longer be needed for highway purposes, will be surplus, and should be removed from the state highway system. It would then be proper and correct that the state convey and release its right, title, and interest in the easement encumbering the existing right of way to the donor in exchange and as consideration for the conveyance of the easement encumbering the new highway alignment to the state.

TEXAS TRANSPORTATION COMMISSION

PALO PINTO County MINUTE ORDER Page 2 of 2

FORT WORTH District

IT IS THEREFORE ORDERED, in consideration of the foregoing premises and in accordance with Transportation Code, Chapter 202, Subchapter B, that, if and when the donor at its sole expense completes construction of the new highway facility to the satisfaction of the department, conveys a new easement encumbering the land described in Exhibit B to the state, and pays the cash difference between the value of the easement encumbering the existing highway alignment and the value of the easement encumbering the new highway alignment, if any, then the designation of the existing right of way as part of the state highway system is cancelled and the surplus easement is no longer needed for highway or public transportation purposes.

IT IS FURTHER ORDERED that the commission recommends that, upon donor's completion of the foregoing requirements, subject to approval by the attorney general, the governor of Texas execute a proper instrument conveying and releasing all of the state's right, title and interest in the easement encumbering the land described in Exhibit A to the donor in exchange and as consideration for the conveyance to the state of an easement encumbering the new highway alignment as described in Exhibit B.

Submitted and reviewed by:

Director, Right of Way Division

Recommended by:

DocuSigned by:

Executive Director

116176 December 9, 2021

Minute Number Date Passed

Page 1 of 5

November 11, 2016

County: Palo Pinto Highway: Park Road 36

Station:

262+33.62 to 268+62.73

R.O.W. CSJ: 0362-06-013

Description for Parcel 3

BEING 0.882 acres of land situated in the A. J. Smith Survey, Abstract 393, Palo Pinto County, Texas and that certain tract of land conveyed to MaBe Lakeview, LLC recorded in Volume 2137, Page 415 of the Deed Records of Palo Pinto County, Texas, executed March 14, 2016. Said 0.882 acres of land being further described as follows:

COMMENCING at a point on the existing westerly right-of-way line of existing Park Road 36 (a variable width right-of-way) same being on the northerly line of said MaBe tract being the beginning of a non-tangent curve to the left from which a 1/2-inch iron rod with cap stamped "Price Surveying" found bears South 59 degrees 51 minutes 03 seconds East, a distance of 0.6 feet and a cut "X" in a rock found bears North 59 degrees 51 minutes 03 seconds West, a distance of 207.90 feet;

THENCE Southwesterly, a distance of 91.60 feet along the arc of said non-tangent curve to the left and said westerly right-of-way line of said existing Park Road 36, having a radius of 154.00 feet, a central angle of 34 degrees 04 minutes 48 seconds and whose long chord bears South 09 degrees 59 minutes 10 seconds West, a distance of 90.26 to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found at the beginning of a curve to the left;

THENCE Southerly, a distance of 39.31 feet along the arc of said curve to the left and continuing along said westerly right-of-way line, having a radius of 2,566.78 feet, A central angle of 00 degree 52 minutes 39 seconds and whose long chord bears South 07 degrees 29 minutes 34 seconds East, a distance of 39.31 feet to the POINT OF BEGINNING being 35-foot right of Centerline Station 262+33.62 having a Texas State Plane Coordinate System, N.A.D. 83, North Central Zone (4202) surface coordinate of North 7,005,743.34, East 1,978,262.77 feet, from which POSSUM KINGDOM CONTROL MONUMENT No. 4, a 3 1/2-inch aluminum disc in concrete found bears North 73 degrees 06 minutes 57 seconds East, a distance of 5,786.85 feet and being a point of intersection of said MaBe tract;

- (1) THENCE South 65 degrees 55 minutes 59 seconds East along said MaBe tract, a distance of 69.29 feet to a 1/2-inch iron rod found;
- (2) THENCE North 81 degrees 42 minutes 58 seconds East continuing along said MaBe tract, 6.51 feet to a point on the easterly right-of-way line of said existing Park Road 36 and being the beginning of a non-tangent curve to the left;
 - THENCE generally southwesterly along the easterly right-of-way line of said existing Park Road 36 in the following thirty-two (4) courses and distances:
- (3) Southerly, a distance of 122.38 feet along the arc of said non-tangent curve to the left, having a radius of 2501.78 feet, a central angle of 02 degrees 48 minutes 10 seconds and whose long chord bears South 10 degrees 10 minutes 22 seconds East, a distance of 122.38 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found at the beginning of a curve to the right;

County: Palo Pinto Highway: Park Road 36

Page 2 of 5 November 11, 2016

Station: 262+33.62 to 268+62.73

R.O.W. CSJ: 0362-06-013

Description for Parcel 3

- (4) Southerly, a distance of 277.52 feet along the arc of said curve to the right, having a radius of 285.00 feet, a central angle of 55 degrees 47 minutes 36 seconds and whose long chord bears South 16 degrees 19 minutes 21 seconds West, a distance of 266.69 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found at the beginning of a curve to the right;
- (5) Southwesterly, a distance of 102.89 feet along the arc of said curve to the right, having a radius of 1903.48 feet, a central angle of 03 degrees 05 minutes 49 seconds and whose long chord bears South 45 degrees 46 minutes 03 seconds West, a distance of 102.87 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found;
- (6) South 47 degrees 18 minutes 58 seconds West, a distance of 99.24 feet to a point on said MaBe tract;
- (7) THENCE North 59 degrees 14 minutes 19 seconds West along said MaBe tract, a distance of 67.81 feet to the westerly right-of-way line of said Park Road 36;
 - THENCE generally northeasterly along the westerly right-of-way line of said existing Park Road 36 in the following thirty-two (7) courses and distances:
- (8) North 47 degrees 18 minutes 58 seconds East, a distance of 118.57 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found at the beginning of a curve to the left;
- (9) Northeasterly, a distance of 64.57 feet along the arc of said curve to the left, having a radius of 1838.48 feet, a central angle of 02 degrees 00 minutes 45 seconds and whose long chord bears North 46 degrees 18 minutes 35 seconds East, a distance of 64.57 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found;
- (10) South 44 degrees 41 minutes 47 seconds East, a distance of 9.29 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found;
- (11) North 38 degrees 20 minutes 52 seconds East, a distance of 57.86 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found;
- (12) North 51 degrees 33 minutes 43 seconds West, a distance of 4.18 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found at the beginning of a non-tangent curve to the left;

Page 3 of 5

November 11, 2016

County: Palo Pinto Highway: Park Road 36

Station: 262+33.62 to 268+62.73

R.O.W. CSJ: 0362-06-013

Description for Parcel 3

- Northeasterly, a distance of 192.03 feet along the arc of said non-tangent curve to the left, having a radius of 220.00 feet, a central angle of 50 degrees 00 minutes 43 seconds and whose long chord bears North 13 degrees 25 minutes 55 seconds East, a distance of 185.99 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY" found at the beginning of a curve to the right;
- Northerly, a distance of 163.19 feet along the arc of said curve to the right, having a radius of 2566.78 feet, a central angle of 03 degrees 38 minutes 34 seconds and whose long chord bears North 09 degrees 45 minutes 10 seconds West, a distance of 163.16 feet to the POINT OF BEGINNING and containing a calculated area of 0.882 acres (38,440 square feet) of land.

Notes:

A plat of equal date accompanies this legal description and made a part thereof.

The markers described and set in the above calls, if destroyed during construction, may be replaced with a TxDOT Type II Right-of-way Marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

All bearings are based on the Texas State Plane Coordinate System, N.A.D. 83, North Central Zone. All coordinates shown unless otherwise noted are surface and may be converted to grid by dividing by the TxDOT conversion factor of 1.00012.

This description was composed based on field surveys conducted under my direction and supervision in July of 2016

James T. Muller

Registered Professional Land Surveyor

Texas Registration No. 4522 Dated: November 11, 2016

McKim & Creed, Inc.

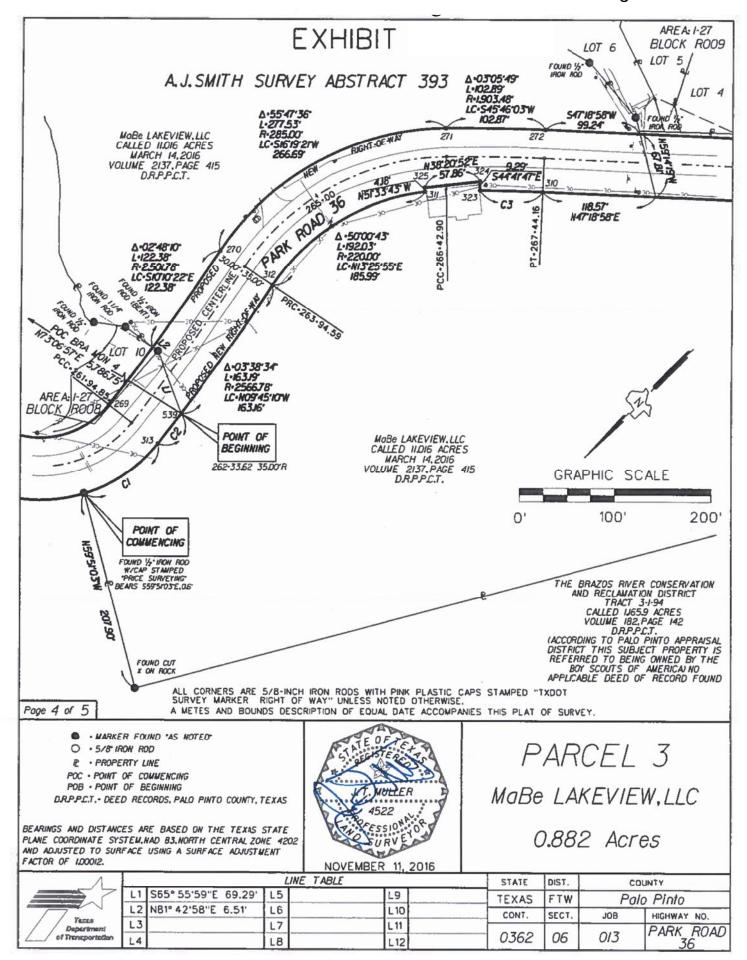
1517 W. North Carrier Parkway, Suite 138

Grand Prairie, Texas 75050

Tel: 817.484.5695

TBPLS Firm # 101776-02





EXHIBIT

CURVE TABLE							
CURVE	LENGTH	DELTA	RADIUS	CHORD BEARING	CHORD		
C1	91.60	34° 04'48"	154.00'	S09° 59'10"W	90.26		
C2	39.31	00° 52'39"	2,566.78	S07° 29'34"E	39.31		
C3	64.57	02* 00'45"	1,838.48	N46° 18'35"E	64.57		

COORDINATE TABLE						
POINT	NORTHING	EASTING	STATION	OFFSET		
270	7005595.582	1978354.090	263-94.58	-30.00		
271	7005339.641	1978279.138	266+42.90	-30.00		
272	7005267.879	1978205.427	267-44.16	-30.00		
310	7005315.661	1978161.360	267-44.16	35.00		
311	7005384.972	1978232.554	266-42.90	35.00		
312	7005582.541	1978290.411	263-94.58	35.00		
313	7005782.317	1978257.646	261-94.85	35.00		
323	7005360.264	1978208.051	266+78.36	35.00		
324	7005353.662	1978214.583	266-78.36	25.71		
325	7005399.037	1978250.479	266 • 17.17	30.82		
529	7005743.344	1978262.772	266.33.62	35.00		

Ц	ADJACENT PROPERTY LESSEE OR OWNER TABLE						
		BLOCK	LOT	OWNER	DOCUMENT RECORDING	EXECUTION DATA	
II.	1-27	ROOB	_10	OTTO G JONES	VOLUME 1803, PAGE 331	JANUARY 11, 2011	
10	1-27	RO09	4	YOUNGBLOOD-CHARLES-VIKI-CHRISTILP	VOLUME 1997, PAGE 460	NOVEMBER 30, 2012	
	1-27		5	WILLIAM J CLARKE AND REBECCA D CLARKE	VOLUME 1954, PAGE 196	JUNE 07, 2012	
ĮĹ	1-27	RO09	6	ROBERT W MAYNARD AND ROBIN HAUGHT MAYNARD	VOLUME 2121, PAGE 199	SEPTEMBER 30, 2015	

ALL CORNERS ARE 5/8-INCH IRON RODS WITH PINK PLASTIC CAPS STAMPED "TXDOT SURVEY MARKER RIGHT OF WAY" UNLESS NOTED OTHERWISE.
A METES AND BOUNDS DESCRIPTION OF EQUAL DATE ACCOMPANIES THIS PLAT OF SURVEY.

Page 5 of 5

. MARKER FOUND 'AS NOTED

O . 5/8" IRON ROD

& - PROPERTY LINE

POC - POINT OF COMMENCING POB - POINT OF BEGINNING

DRPPC.T .- DEED RECORDS, PALO PINTO COUNTY, TEXAS



PARCEL 3 MaBe LAKEVIEW, LLC

0.882 Acres

BEARINGS AND DISTANCES ARE BASED ON TH	E TEXAS STATE
PLANE COORDINATE SYSTEM, NAD 83, NORTH CO	ENTRAL ZONE 4202
AND ADJUSTED TO SURFACE USING A SURFAC	
FACTOR OF IDOOI2.	

	LINE TABLE			STATE	DIST.	CO	Palo Pinto		
	L1	L5	L9	TEXAS	FTW	Pal	o Pinto		
Tames	L2	F6	L10	CONT.	SECT.	JOB	HIGHWAY NO		
/ Department	L3	L7	L11			0.7	PARK ROAD		
of Transportation	L4	L8	L12	0362	06	013	36		

EXHIBIT

County: Palo Pinto Highway: Park Road 36

Station: 261+24.06 to 271+85.41

R.O.W. CSJ: 0362-06-013

"B" The

Proposed PR36 ROW

Description for Parcel 2

Page 1 of 5 August 12, 2016

BEING 1.026 acres of land situated in the A. J. Smith Survey, Abstract 393, Palo Pinto County, Texas and that certain tract of land conveyed to MaBe Lakeview, LLC recorded in Volume 2137, Page 415 of the Deed Records of Palo Pinto County, Texas, executed March 14, 2016. Said 0.995 acres of land being further described as follows:

BEGINNING at a point on the existing westerly right-of-way line of existing Park Road 36 (a variable width right-of-way) being the beginning of a non-tangent curve to the left, 35-foot right of Centerline Station 261+24.06, having a Texas State Plane Coordinate System, N.A.D. 83, North Central Zone (4202) surface coordinate of North 7,005,871.21, East 1,978,273.30 feet; from which POSSUM KINGDOM CONTROL MONUMENT No. 4, a 3 1/2-inch aluminum disc in concrete found bears North 74 degrees 18 minutes 23 seconds East, a distance of 5,740.78 feet and a 1/2-inch iron rod with cap stamped "Price Surveying" found for the most northerly northeast corner of said MaBe tract bears North 40 degrees 40 minutes 25 seconds East, a distance of 2.30 feet;

- (1) THENCE Southwesterly, a distance of 91.60 feet along the arc of said non-tangent curve to the left and said westerly right-of-way line of said existing Park Road 36, having a radius of 154.00 feet, a central angle of 34 degrees 04 minutes 48 seconds and whose long chord bears South 09 degrees 59 minutes 10 seconds West, a distance of 90.26 to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found at the beginning of a curve to the left;
- (2) THENCE Southerly, a distance of 50.91 feet along the arc of said curve to the left and continuing along said westerly right-of-way line, having a radius of 2,566.78, A central angle of 01 degree 08 minutes 11 seconds and whose long chord bears South 07 degrees 37 minutes 20 seconds East, a distance of 50.91 feet to the intersection of said westerly right-of-way line of Park Road 36 and the proposed new easterly right-of-way line of said Park Road 36;
- (3) THENCE South 22 Degrees 48 Minutes 38 Seconds West, passing a 60d nail found at a distance of 1.80 feet and continuing for a total distance of 561.45 feet to a 1/2-inch iron rod with cap stamped "Price Surveying" found at the beginning of a curve to the right;
- (4) THENCE Southwesterly, a distance of 7.87 feet along the arc of said curve to the right and said westerly right-of-way line, having a radius of 529.97 feet, a central angle of 00 degrees 51 minutes 02 seconds and whose long chord bears South 23 degrees 14 minutes 09 seconds West, a distance of 7.87 feet to the aforesaid westerly right-of-way line of existing Park Road 36;
- (5) THENCE South 47 degrees 18 minutes 58 seconds West along said westerly right-of-way line, a distance of 93.37 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found at the beginning of a curve to the right;
- (6) THENCE Southwesterly, a distance of 30.85 feet along the arc of said curve to the right and said westerly right-of-way line, having a radius of 840.00 feet, a central angle of 02 degrees 06 minutes 16 seconds and whose long chord bears South 48 degrees 22 minutes 06 seconds West, a distance of 30.85 feet;

County:

FXXHXXXXXX

EXHIBIT "B"
The

Station: 261+24.06 to 271+85.41 R.O.W. CSJ: 0362-06-013

Palo Pinto

Highway: Park Road 36

o 271+85.41 **Proposed** 013 **PR36 ROW** Page 2 of 5 August 12, 2016

Description for Parcel 2

- (7) THENCE South 26 degrees 03 minutes 21 seconds East continuing along said westerly right-of-way line a distance of 9.72 feet;
- (8) THENCE South 53 degrees 56 minutes 39 seconds West continuing along said westerly right-of-way line a distance of 110.39 feet;
- (9) THENCE South 58 degrees 41 minutes 39 seconds West continuing along said westerly right-of-way line a distance of 61.78 feet to a 1/2-inch iron rod found;
- (10) THENCE North 36 degrees 05 minutes 21 seconds West continuing along said westerly right-of-way line a distance of 8.73 feet to the intersection with the proposed new westerly right-of-way line of Park Road 36 and the beginning of a non-tangent curve to the left;
- (11) THENCE Northeasterly along the arc of said non-tangent curve to the left and the westerly proposed new right-of-way line of Park Road 36 a distance of 24.65 feet, having a radius of 840.00, a central angle of 01degrees 40 minutes 53 seconds, and whose long chord bears North 60 degrees 26 minutes 58 seconds East, a distance of 24.65 to a 60d nail found at the beginning of a curve to the left;
- (12) THENCE Northeasterly along the arc of said non-tangent curve to the left and the westerly proposed new right-of-way line of Park Road 36 a distance of 260.75 feet, having a radius of 469.98 feet, a central angle of 31 degrees 47 minutes 18 seconds and whose long chord bears North 38 degrees 42 minutes 17 seconds East, a distance of 257.42 to a 1/2-inch iron rod with cap stamped "Price Surveying" found;
- (13) THENCE North 22 Degrees 48 Minutes 38 Seconds East continuing along said proposed new westerly right-of-way line, a distance of 597.68 feet to a 1/2-inch iron rod with cap stamped "Price Surveying" found at the beginning of a curve to the right;
- (14) THENCE Northeasterly along the arc of said curve to the right and proposed new westerly right-of-way line, a distance of 97.07 feet, having a radius of 329.98 feet, a central angle of 16 degrees 51 minutes 14 seconds and whose long chord bears North 31 degrees 14 minutes 15 seconds East, a distance of 96.72; to the POINT OF BEGINNING and containing a calculated area of 1.026 acres (44,683 square feet) of land.

EXXECUTE STATES OF THE STATES

County: Palo Pinto

Highway: Park Road 36
Station: 261+24.06 to 271+85.41

EXHIBIT "B"

The Proposed
PR36 ROW

Station: 261+24.06 to 271+ R.O.W. CSJ: 0362-06-013 Page 3 of 5 August 12, 2016

Description for Parcel 2

Notes:

A plat of equal date accompanies this legal description and made a part thereof.

The markers described and set in the above calls, if destroyed during construction, may be replaced with a TxDOT Type II Right-of-way Marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

All bearings are based on the Texas State Plane Coordinate System, N.A.D. 83, North Central Zone. All coordinates shown unless otherwise noted are surface and may be converted to grid by dividing by the TxDOT conversion factor of 1.00012.

This description was composed based on field surveys conducted under my direction and supervision in July of 2016

James T. Muller

Registered Professional Land Surveyor

Texas Registration No. 4522

Dated: August 12, 2016

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Grand Prairie, Texas 75050

Tel: 817.484.5695

TBPLS Firm # 101776-02

